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1772
#**TRANSMITTAL
FORM***(to be used for all correspondence after initial filing)*Application Number **TC 1700** 09/389,980

Filing Date July 30, 1999

First Named Inventor Galloway, et al.

Group Art Unit 1772

Examiner Name R. Dye

Total Number of Pages in This Submission

11

Attorney Docket No.

24180-044

ENCLOSURES (check all that apply)☒ **Fee Transmittal Form**☐ Fee Attached☒ **Amendment/Response**☐ After Final☐ Affidavits/declaration(s)☒ **Extension of Time Request**☐ Express Abandonment Request☐ **Supplemental Information
Disclosure Statement**☐ Certified Copy of Priority
Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition Routing Slip (PTO/SB/69)
and Accompanying Petition☐ To Convert a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence
Address☐ Terminal Disclaimer☐ Small Entity Statement☐ Request for Refund☐ After Allowance Communication
to Group☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ **Additional Enclosure(s):***(please identify below)***- Version With Markings to Show
Changes**

Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENTFirm
or
Individual nameJoy Ann G. Serauskas
McDermott, Will & Emery

Signature

Date

September 10, 2001

CERTIFICATE OF MAILINGI hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: September 10, 2001

Typed or printed name

Joy Ann G. Serauskas

Signature

Date

September 10, 2001

FEE TRANSMITTAL

Complete if Known

Note: Effective November 10, 1998

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT \$ 390.00

Application Number	09/369,980
Filing Date	July 30, 1999
First Named Inventor	Galloway, et al.
Title	Multi-Layer Thermoplastic Films and Packages Made Therefrom
Gr up Art Unit	1772
Examiner Name	R. Dye
Attorney Docket Number	24180-044

METHOD OF PAYMENT (check one)

☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account 13-0206

Deposit Account Name McDermott, Will & Emery

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☐ Payment Enclosed:

☐ Check ☐ Money ☐ Other Order

FEE CALCULATION

1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL					

2. CLAIMS

	Highest No. Paid For	Extra	Fee from below	Fee Paid
Total Claims	-20 =		18	
Independent Claims	-3 =		80	
Multiple Dependent Claims				

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent
SUBTOTAL 				

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	390.00
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design Issue fee	
144	600	244	300	Plant Issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

Other fee (specify) _____

Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** 390.00

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TC 1700

SUBMITTED BY

Typed or Printed Name Joy Ann G. Serauskas

Complete (if applicable)

Reg. Number 27,952

Signature

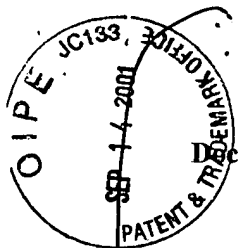
Joy Ann G. Serauskas

Date

September 10, 2001

Deposit Account

13-0206



Docket No. 24180-044002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Galloway, et al., U.S. Patent)
Application No. 09/369,980)

For: MULTI-LAYER THERMOPLASTIC FILMS)
AND PACKAGES MADE THEREFROM)

Filed: July 30, 1999)

Group Art Unit: 1772)

Examiner: R. Dye)

Certificate of Mailing

I hereby certify that on September 10, 2001, this correspondence is being deposited with the U.S. Postal Service, postage prepaid, in an envelope addressed to:

Assistant Commissioner for Patents
Washington, DC 20231

John G. Serauskas
John G. Serauskas, Registration No. 27,952

Handwritten notes and signatures:
4470
9480
CME

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TC 1700

RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Office Action mailed April 10, 2001, it is respectfully requested that the following amendments be entered and the following remarks considered. Applicants have requested an extension of time under 37 CFR §1.136 in order for this paper to be timely filed.

AMENDMENTS

1. (Amended) A multilayer polymeric film, comprising:
- (a) a first barrier layer, having first and second opposing surfaces;
 - (b) second and third adhesive layers disposed on opposing surfaces of said first layer;
 - (c) a fourth layer comprising ethylene vinyl acetate copolymer and disposed adjacent to said third layer; and
 - (d) a fifth layer comprising ethylene alpha-olefin copolymer formed by a polymerization reaction in the presence of a single site catalyst, said ethylene alpha-olefin copolymer having a molecular weight distribution of less than 2.5 and a I_{10}/I_2 ratio of about 7 to 12 and disposed adjacent to said fourth layer;
- wherein said film is irradiated.

Handwritten signature/initials.

Handwritten list of layers:
4th EVA
3rd adhesive
barrier
2nd adhesive
5th eth alpha-olefin

Handwritten notes:
349,970
1-99 eth alpha-olefin 99-1% EVA
barrier
1-99 eth alpha-olefin 99-1% EVA

25

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